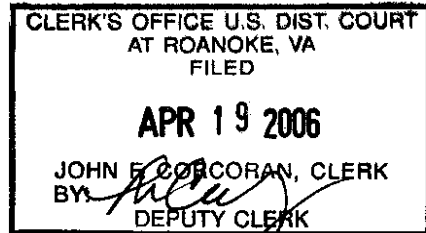


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION



DERRICK ALLEN MARTIN,
Plaintiff,

v.

JOHN HIGGINS,
Defendant.

)
) Civil Action No. 7:06CV00218
)
) **FINAL ORDER**
)
)
) By Hon. Glen E. Conrad
) United States District Judge

In accordance with the accompanying memorandum opinion, it is now

ORDERED

as follows:

1. The plaintiff's complaint shall be and hereby is **DISMISSED** and **STRICKEN** from the active docket of the court, pursuant to 28 U.S.C. § 1915A(b)(1); and
2. The plaintiff's motion to proceed in forma pauperis shall be and hereby is **DISMISSED** as moot.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to the plaintiff and counsel of record for the defendant, if known.

ENTER: This 19th day of April, 2006.

[Signature]

United States District Judge